

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed June 2, 2005 (the "Office Action"). At the time of the Office Action, Claims 1-72 were pending in the Application. The Examiner allows Claims 56-58 and 69-72. The Examiner rejects Claims 1, 4, 5, 9-13, 16-17, 21-24, 27-32, 35-36, 40-44, 47-48, 52-55, 59, 62-63 and 66-69. The Examiner objects to Claims 2-3, 6-8, 14-15, 18-20, 25-26, 33-34, 37-39, 45-46, 49-51, 60-61 and 64-65. To further advance prosecution, Applicants amend Claims 1, 6-8, 13, 18-20, 24, 28, 32, 34, 37-39, 44, 46, 49-51, 59, 61 and 64-65 and cancel Claims 2-3, 14, 15, 25, 33, 45 and 60. Applicants respectfully request reconsideration and favorable action in this case.

Claim Objections

Applicants appreciate the Examiner's indication that Claims 2-3, 6-8, 14-15, 18-20, 25-26, 33-34, 37-39, 45-46, 49-51, 60-61 and 64-65 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have amended Claims 6-8, 18-20, 37-39, 49-51 and 64-65 such that they are in independent form with all limitations of their respective base claims and any intervening claims. For at least these reasons, Applicants respectfully request allowance of Claims 6-8, 18-20, 37-39, 49-51 and 64-65.

Rejections under 35 U.S.C. § 102 and § 103

Claims 1, 4-5, 9-13, 16-17, 21-24, 27-32, 35-36, 40-44, 47-48, and 52-55 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,202,024 issued to Yokoyama et al. ("*Yokoyama*"). Claims 59, 62-63, and 66-69 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 6,405,130 issued to Piwowarski ("*Piwowarski*") in view of *Yokoyama*. Applicants respectfully traverse these rejections.

Independent Claims 1, 13, 24, 32, 44 and 59 have each been amended to recite identifying an area causing traffic delay based on route diversions of the plurality of vehicles or similar elements. The Examiner previously indicated that these elements are allowable, for example, with respect to original Claims 2, 14, 25, 33, 45 and 60. See Office Action, page 5, ¶ 15. Therefore, for at least these reasons, Applicants respectfully submit that Claims 1, 13, 24, 32, 44

and 59 are patentable over the cited art used in the rejections and request that the rejections of these claims be withdrawn.

Claims 4-5 and 9-12 depend from Claim 1; Claims 15-17 and 21-23 depend from Claim 13; Claims 26-27 and 29-31 depend from Claim 24; Claims 34-36 and 40-43 depend from Claim 32; Claims 46-48 and 52-55 depend from Claim 44; and Claims 61-63 and 66-68 depend from Claim 59. Therefore, for at least the reasons discussed above with respect to Claims 1, 13, 24, 32, 44 and 59, Applicants respectfully request that the rejections of Claims 4-5, 9-12, 15-17, 21-23, 26-27, 29-31, 34-36, 40-43, 46-48, 52-55, 61-63 and 66-68 be withdrawn.

In addition, Claim 28, rewritten in independent form, recites similar elements as included in Claim 7, which was previously indicated as allowable. Thus, for at least this reason, Applicants respectfully request that Claim 28 is patentable over the cited art used in the rejections and request that the rejection of Claim 28 be withdrawn.

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CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney at (214) 953-6511 to schedule the telephone conference.

Although no fees are believed to be currently due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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